

Sooley, Jodi

From: Bolton, Stephen
Sent: March 4, 2014 11:53 AM
To: Helsdon, John; Mackenzie, Joey; Sarazin, Danielle; McKay, Kim
Subject: FW: Scott -- did you ever get our Detentions Efficiencies Business Case?
Attachments: RE: Scott -- did you ever get our Detentions Efficiencies Business Case?

See below. If there is a more recent version, great.

Stephen Bolton
Director/Directeur
Transformation Division / Division de la transformation
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Programs Branch / Direction générale des programmes
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Tel /Tél: (613) 954-7251
Email: stephen.bolton@cbsa-asfc.gc.ca

From: Tsangaris, Melissa
Sent: March 4, 2014 10:35 AM
To: Bolton, Stephen
Cc: Aoun, Celestina; Williams, Grant
Subject: RE: Scott -- did you ever get our Detentions Efficiencies Business Case?

Stephen,

Is there a more recent version of the business case that the last one I received (email attached) that you could possibly forward in advance of meeting tomorrow? If not no worries of course.

Thanks.
M.

From: Bolton, Stephen
Sent: March 3, 2014 4:41 PM
To: Tsangaris, Melissa
Cc: Helsdon, John; Mackenzie, Joey; Sarazin, Danielle; McKay, Kim
Subject: FW: Scott -- did you ever get our Detentions Efficiencies Business Case?
Importance: High

Melissa – hope that all is well. Can we touch base on the Detentions business case sometimes? This increasingly has some legs,

thanks

Stephen Bolton
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Email: stephen.bolton@cbsa-asfc.gc.ca

From: Taymun, Scott
Sent: January 27, 2014 2:35 PM
To: Bolton, Stephen
Cc: Tsangaris, Melissa; Soper, Lesley L
Subject: Re: Scott -- did you ever get our Detentions Efficiencies Business Case?

Yes

And there is a workshop wednesday with review with colleagues and get feedback

Lesley invited

Melissa can update you

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Bolton, Stephen
Sent: Monday, January 27, 2014 02:32 PM
To: Taymun, Scott
Subject: Scott -- did you ever get our Detentions Efficiencies Business Case?

We had developed one in December,

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Sooley, Jodi

From: Sarazin, Danielle
Sent: March 21, 2014 01:00 PM
To: Mackenzie, Joey
Subject: RE: One pager
Attachments: BC IHC Incident for EC V1.docx

Here's what I've added. Changes welcomed.

DS
948-1833

From: Mackenzie, Joey
Sent: March 21, 2014 11:50 AM
To: Sarazin, Danielle
Subject: One pager

Hi Danielle,

Here is my piece. Header created for report information.

Cheers,

JM

Joey Mackenzie
Senior Program Advisor | Conseiller principal en programmes
Hearings and Detention | Audiences et Détentions
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British Columbia Immigration Holding Centre (BC IHC) Incident

After Incident Report - Suicide at the BC Immigration Holding Centre

Speaking Points:

- Senior management notified of December 20, 2013 incident at the BCIHC. Formal process was undertaken to provide information to external stakeholders: Canadian Red Cross, Mexican Consulate, RCMP and British Columbia Corrections.
- RCMP immediately commenced criminal investigation - concluded on January 28, 2014 that no criminal offence (criminal negligence) had occurred.
- The B.C. Coroners Service also investigating. **On February 25, 2014 announced it would hold a public inquest relating to her death, set to begin on September 29, 2014.**
- Immediately after incident Pacific Region initiated internal review of operations and **established a Post-Incident Working Group** to assist in identifying procedural and infrastructure improvements to strengthen the detention program at the BCIHC.
 - **Results of work captured in *Due Diligence Report* and *Draft Response to the Due Diligence Report*, both authored by Pacific Region.**
 - The *Due Diligence Report* summarizes [redacted] immigration history; provides information on the BCIHC; and, a chronology of events leading up to suicide attempt. Report outlines recommendations made by the region for action.
 - The *Draft Response to the Due Diligence Report* identifies action taken to date on the recommendations contained in the *Due Diligence Report*.
- **A Directors-General-led Post-Incident Working Group was also established** to review the incident response, identify any operational, policy, procedural, infrastructure and training gaps and to recommend and implement changes where required.
 - The working group is led by the Enforcement and Intelligence Directorate, Programs Branch and the Security and Professional Standards Directorate, Comptrollership Branch.
 - **The results of the review done by this working group to date are captured in *After Incident Report* which includes recommendations to strengthen CBSA's procedures and practices for detention both nationally and regionally.**

Action Items resulting from After-Incident Report recommendations

National:

- Review of the national detention standards (March 2015).
- Development of an Immigration Holding Centre Facility Design Guide (December 2014).

Commented [SD1]: Need to consult with Comptrollership on this one as they would lead, n'est-ce pas?

- Development of a national protocol related to public notification of a detainee's death while in CBSA custody in an IHC (March 2015).
- Written national procedures including roles and responsibilities of CBSA staff in relation to the notification of law enforcement, next of kin, the relevant diplomatic officials, NGOs, other relevant CBSA staff (i.e., Liaison Officers), and other relevant parties (November 2015).
- Development of a national directive requiring arresting officers to complete a detainee medical form when transferring to a non-CBSA facility (October 2014).
- Clause in provincial detention agreements / arrangements on sharing of medical information with the CBSA (ongoing as agreements and arrangements are being negotiated).

Regional:

- Review BCIHC security contract to ensure consistency with the national detention standards and BCIHC standing orders (XXXX).
- Review of security contracts for IHCs in Laval and Toronto (Upon expiry).
- Review BCIHC security contract to include requirement for guards to have received training in suicide and self-injury prevention (XXXX).
- Changes to infrastructure at the BCIHC directly related to the incident (Completed February 2014).
- Strengthened CBSA management oversight of security contract and BCIHC operations (Completed February 2014 – i.e., CBSA staff is now onsite two days per week).
- Increase number of meetings with security company (Genesis) to review contract requirements against performance – (XXXX).
- Formalize procedures in a standing order regarding access to counselling services and closer monitoring when removal is imminent (XXXX).
- Review and update of current standing orders to identify gaps and develop additional standing orders where required to ensure respect of the national detention standards (XXXX).

Commented [SD2]: Need to consult with region on timelines.

National Detention Strategy

- The Detention Strategy will help overcome program challenges by identifying short, medium and long-term opportunities for detention program enhancements.
- The strategy will enhance national consistency in detention program management, strengthen program integrity and, implement effective and cost-containing measures.

Short-term Actions to Occur in 2014-15

- Establish detentions strategy working group (Completed – February 2014).
- Quebec region: develop Request for Proposal (RFP) to solicit private sector contractor to provide new detention facility (anticipate RFP solicitation in October 2014).
- Develop national detainee risk assessment (July 2014) and review national detentions standards, including addressing recommendations from *BC IHC After Incident Report* (October 2014);
- Refocus efforts to complete detention arrangements (MOUs) with the Provinces (Ongoing, complete arrangements with Ontario and Quebec, followed by initiation of negotiations with Nova Scotia, New Brunswick, Manitoba and Saskatchewan).
- Develop of alternatives to detention (ongoing, assessment underway).

Long-Term Actions to Occur in 2015-2016

- New RFP issued and concluded in Greater Toronto Area Region (GTAR) to allow for the detention of some detainees currently held in provincial jails, leveraging new national detainee risk assessment.
- Develop business case for the investment of savings achieved in Ontario to explore the establishment of additional IHCs in Pacific and Prairies regions.

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From: Bolton, Stephen
Sent: January 27, 2014 02:42 PM
Subject: RE: Scott -- did you ever get our Detentions Efficiencies Business Case?
Attachments: E_R Savings Business Case_Detention_DEC_23_2013.doc

On this? (Attached). I did not know that

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Canada Border
Services Agency

Agence des services
frontaliers du Canada



2013-14 Efficiencies for Reinvestment

Efficiency Measure Business Case Template

DRAFT
Version 1.1

December 1, 2013



PROTECTION • SERVICE • INTEGRITY

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EFFICIENCY EXERCISE INSTRUCTIONS

This template represents the format and suggested content for business case development in supporting the Efficiency Exercise.

The business case should provide sufficient details to enable confidence in senior management discussion of whether to consider the business case for implementation and to ensure senior management that due diligence in the transformation strategy, achievability, resourcing, benefits, performance metrics and risks has been completed. Once reviewed by Executive Committee (EC), and verified and finalized, the business case will be used as a baseline for determining the costing of efficiencies to be realized and for implementation monitoring.

In terms of current status, the business case should build on the efficiency proposal reviewed by Directors General (DGs) in early October 2013. Key next steps are:

- Business case development (using this template);
- Horizontal review of business cases (January 2013)
- EC review;
- Third party verification of selected business cases.

Key instructions are imbedded in the template. Due diligence and care should be taken to articulate:

- Order of magnitude resources in scope;
- Key drivers / transformation strategy / business changes required to realize efficiencies / effectiveness gains;
- Key dependencies such as legislative / regulatory change, automation or investment required to realize efficiency / effectiveness gains;
- Other non-financial benefits in terms of effectiveness or service gains;
- Order of magnitude efficiencies that can be realized;
- First pass development of implementation planning and potential timelines.

If you have any questions or require additional clarification in developing your business case and costing, please contact your Task Team representative:

- Programs – Grant Williams
- Operations – Steve Gorham
- Information, Science and Technology – Michelle Maheux
- Corporate Affairs – Panayiota Karaikos
- Human Resources – TBC
- Comptrollership and General – Melissa Tsangaris, Linda Gama-Pinto, Simon Talbot, Lia Newton, Daniel Haddad, Tanya Martin (extent TBC)

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2013-2014 EFFICIENCIES FOR REINVESTMENT EFFICIENCY MEASURE BUSINESS CASE

I. TOMBSTONE INFORMATION

Name of Efficiency Measure: Detention Strategy - Implementation

Lead Branch: Enforcement and
Intelligence, Programs

Contact: Peter D Hill, Director General, E&I
Programs

II. CURRENT PROGRAM AND RESOURCE PROFILE

Current Program

Describe the current program(s) scope, including key functions and activities, from which the efficiency is proposed to be harvested. Include 100% of the resources in scope (not the efficiency, but the universe from which the efficiency will be realized).

Note: For more detailed background information see III

The Immigration Enforcement program determines whether foreign nationals and permanent residents who are or may be inadmissible to Canada are identified and investigated, detained, monitored and/or removed from Canada.

Canada's immigration laws permit the CBSA to detain individuals to protect the safety, health and security of Canadians and the integrity of our border. Under the *Immigration and Refugee Protection Act* (IRPA), foreign nationals and permanent residents can be detained. CBSA is the sole federal accountable immigration detention authority and as such is responsible for the care and control of immigration detainees

People are detained in either a CBSA-run immigration holding centre (Laval, Quebec; Toronto, Ontario; a short-term facility in Vancouver, British Columbia) or a provincial correctional facility. Where individuals are held depends on which facilities are available and the degree of danger or risk these individuals pose to themselves or others. In 2012-2013 70% of people detained were held in a CBSA immigration holding centre.

CBSA policy and guidelines are clear: if detention is required, detention should be for the shortest time possible and several factors must be considered when deciding to detain, including the availability and potential use of alternatives to detention.

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Current Resource Profile Summary (based on 2012/13 actuals)
Refer to Annex A for details by cost centre and program activity (per Excel workbook)

(000)	FTEs	Salary	O&M	Capital	Total
HQ		\$961,105	\$173,686	\$108,147	\$1,242,938
Regions		\$5,101,751	\$42,968,709	\$0	\$48,070,460
Total		\$6,062,856	\$43,142,395	\$108,147	\$49,313,397

III. EFFICIENCY MEASURE STRATEGY AND SAVINGS PROFILE

Nature of Efficiency Measure

- ☐ Eliminate
 ☐ Reduce Duplication
 ☒ Transform/ Business Process Re-engineer
 ☐ Transfer
 ☐ Other

Rationale for Efficiency Measure

- ☐ Confirmed overlap and duplication and ability to streamline
☐ Efficiency benefit related to a funded project (e.g. eManifest, CARM, etc)
☒ Efficiency benefit related to a proposed project (where funding is not yet sourced)
☒ Can transform business model/ use alternative service delivery to generate efficiency
☐ Low performing, low priority program / function that can be reduced/streamlined

Efficiency Measure Executive Summary

E&I is in the process of developing a Detention Strategy outlining ways to enhance the Detention Program, gain efficiencies and improve consistency of program delivery through facility and population management initiatives. Through research and consultation, both internally and externally, and through the development of business cases on the individual initiatives, feasibility of implementation and timelines will be further refined.

Efficiency Measure Description

Scope Statement (what is in and out of scope):

In scope - Identify initiatives that will decrease or mitigate dependence on provincial correctional facilities for holding immigration detainees; improve detainee management; and, improve stakeholder access to detainees by:

- exploring options for new arrangements or facilities that can accommodate both lower and higher risk detainees (Quebec Region being the current highest priority);
- exploring the increased use of alternatives to detention on a national basis (i.e., electronic monitoring, telephone reporting, programs similar to the Toronto Bail Program, greater use of terms and conditions); and,
- identifying tools and technologies that may help reduce detention-related costs (i.e.,

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use of videoconferencing for immigration proceedings at the IRB to reduce transportation costs; co-location with IRB). See attached matrix for additional business-process re-engineering tools to complement the major initiatives outlined herein.

Business/Program Elements (business context, background, and requirements):

Background/Context:

General:

When making detention decisions, CBSA officers are guided by Canada's immigration laws and regulations, as well as by CBSA's detention guidelines and national standards as well as international standards established by the United National High Commissioner for Refugees (UNHCR).

The detention guidelines contained in Enforcement manual Chapter 20 require officers to consider all reasonable alternatives before detaining someone for immigration purposes. The CBSA relies upon a variety of alternative measures to detention when appropriate, allowing a person to be released under specific terms and conditions, such as deposits and guarantees and reporting requirements.

Detention can occur when:

- A CBSA officer has reasonable grounds to believe that the person is inadmissible and:
 - could pose a danger to the public;
 - is unlikely to appear for immigration proceedings; or
 - identity has not been established.
- A CBSA officer has reasonable grounds to suspect, at a port of entry, that the person is inadmissible for security reasons, violating human or international rights, serious criminality, criminality or organized criminality
- It is necessary to complete the immigration examination; or
- A foreign national is designated as an irregular arrival by the Minister of Public Safety

Detention decisions may be reviewed by the CBSA up to 48 hours after the person was detained. The CBSA may release the person and impose conditions for their release. After 48 hours, detention is reviewed by the Immigration and Refugee Board (IRB), an independent quasi-judicial tribunal. Detention is then reviewed seven days later and every 30 days thereafter. A different detention review schedule exists for designated foreign nationals. In these cases, detention is mandatory and a detention review takes place within 14 days, then every six months. Detention will continue until a final positive decision is made by the IRB on their refugee claim, or until release is ordered by the IRB or the Minister of Public Safety. Excluded from the mandatory detention are foreign nationals under the age of 16.

Minors are only ever detained as a last resort taking the best interests of the child into consideration. Minors are generally held in CBSA Immigration Holding Centres (IHCs) or referred to child welfare agencies.

People are detained in either a CBSA-run IHC (Laval, Quebec; Toronto, Ontario; a short-term

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facility in Vancouver, British Columbia) or a provincial correctional facility. The CBSA relies on provincial correctional facilities to hold higher-risk detainees (i.e., criminal background) and low-risk detainees in areas not served by an IHC.

As detaining authority, the CBSA is responsible for informing those detained of their legal rights such as the right to an interpreter, the reason for the arrest and detention; the right to obtain counsel; and, the right to contact their embassy or the United Nations High Commissioner for Refugees (UNHCR).

For the operation of its IHCs, the CBSA maintains national detention standards that conform, to the greatest extent possible, with international protocols. National detention standards include, for example a daily minimum of one hour open air exercise; free local telephone calls; access to a qualified religious representative upon request; and special meals provided for medical, dental or religious reasons.

Detainees have access to medical services as required and may qualify for the Interim Federal Health Program if unable to pay for essential treatment, or otherwise covered under provincial health care programs.

Program integrity and independent monitoring

The CBSA maintains the highest standards for program integrity and oversight of its detention program. Its quality assurance program, as well as numerous internal and external audits and evaluations, ensures that the CBSA consistently strives to meet national detention standards and international protocols.

The Canadian Red Cross, an independent and non-profit organization, monitors detention conditions in each CBSA facility, as well as in correctional facilities in several provinces, to ensure that national standards and international obligations are met.

At the same time, the CBSA regularly consults stakeholders and NGOs, such as the United Nations High Commission for Refugees in Canada, about detention issues and takes their recommendations into account as a means to continuously improve detention conditions

Detention Snapshot – 2012-13

- 9,571 detentions for an average of 20 days (approximately 450-500 individuals detained at any given point in time)
- 6,680 males and 2,013 females detained
- 6,122 (70%) detained in CBSA immigration holding centres
- 4,128 (47%) detainees were refugee claimants
- 267 (2.8%) detainees were accompanied minors
- 13 (0.13%) detainees were unaccompanied minors
- \$239 per day per detainee average cost
- \$48.7M in detention expenditures

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Detention statistics for period beginning 2009-10 to 2012-13

Fiscal Year	Number of detentions*	Number Released/Removed	Average detention	Refugee claimants	Detained in a CBSA facility (IHC)	Detained in a non-CBSA (IHC) facility
2012 - 2013	9,571	6 983 / 3,277	20 days	47%	70%	30%
2011 - 2012	9,929	7 212 / 3,382	19 days	47%	71%	29%
2010 - 2011	8,838	6 587 / 2,819	25 days	47%	65%	35%
2009 - 2010	9,449	5 624 / 3,345	24 days	44%	66%	34%
2008 - 2009	14 362	10 212 / 3,696	17 days	44%	72%	28%

Fiscal Year	Regional Breakdown of Total Detentions – Numbers / Percentage				
	Atlantic	Prairie	Pacific	Quebec	Ontario
2012-2013	35 / 0.4%	454 / 4.7%	1,774 / 18.5%	1,304 / 13.6%	6,138 / 64.1%
2011-2012	50 / 0.5%	419 / 4.2%	2,041 / 20.5%	1,401 / 14.1%	6,161 / 62.1%
2010-2011	49 / 0.5%	364 / 4.1%	2,022 / 22.5%	1,193 / 13.3%	5,354 / 59.6%
2009-2010	52 / 0.5%	373 / 3.94%	2,059 / 21.7%	1,634 / 17.3%	5,331 / 56.4%
2008-2009	57 / 0.4%	363 / 2.5%	2,621 / 18.3%	2,431 / 16.9%	8,890 / 61.9%

Note: Ontario (including GTA, Northern Ontario (and Nunavut) and Southern Ontario regions) and Pacific region (including B.C. and Yukon) have the highest number of detentions, which is consistent with the fact they also receive the highest volume of immigrants, refugee claimants and travellers in general.

Detention Facilities and Capacity

The Toronto IHC can accommodate up to 195 medium and lower risk detainees, Laval IHC up to 150 medium and lower risk detainees and the Vancouver IHC up to 24 detainees for periods of less than 72 hours

At the Toronto IHC the CBSA has an onsite manager who is an employee of CBSA but uses two service providers for all detention related services: a per diem rate is paid to a private company for accommodation and food services and a second service provider is used for security and transportation services. Provincial correctional facilities are used for higher risk detainees and also for medium and lower risk detainees outside of the IHC metropolitan area. On average, Ontario institutions are used to house approximately 200 detainees at any one time.

The Laval IHC has an average daily detained population of approximately 50-70. The Correctional Service of Canada (CSC) owns the facility and allows CBSA to use it without cost provided CBSA assumes responsibility and cost for maintenance and upkeep. CBSA has an onsite manager and contracts all services to various service providers. Detainees who are higher risk or outside of the Montreal metropolitan area are currently held at provincial

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institutions.

The Vancouver IHC is a 72-hour holding facility at Vancouver International Airport. Detentions continued beyond the 72-hour mark are transferred to provincial correctional facilities given the IHC is not designed to hold individuals for longer periods of time

Transformation Drivers for Change – drivers / transformation strategy that can / will generate the opportunity for efficiency gains (e.g. policy/ process/ legislative change, organizational redesign, technology/ system changes, etc);

Drivers:

1. Detention Facilities and Capacity

The CBSA's limited detention capacity has been a long-standing issue, highlighted in two reports of the Office of the Auditor General (2003 and 2008) and in CBSA (and previously CIC) internal evaluations and studies. Lack of detention space in CBSA facilities has led to criticism by the OAG that "lack of capacity and tight budgets are affecting detention decisions" (April 2003 OAG report, 5.84-5.90) and leading to inconsistent detention practices across the country (i.e., more detentions in areas served by an IHC and less where IHCs do not exist). Stakeholders have also expressed concern in this regard.

The CBSA has no detention facilities in the Prairies (Alberta, Saskatchewan, Manitoba) or in the Atlantic provinces (Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland) and has only a short-term facility in British Columbia. Furthermore, the CBSA relies on provincial detention facilities for all higher-risk cases.

The Laval IHC is being leased to the CBSA by the CSC. The lease expires in 2016 but arrangements may be made via Comptrollership to extend the lease through to 2018 to complement the work being done in regard to a Laval replacement solution. The facility is an old prison that does not fully meet the CBSA requirements, is not conducive to immigration detention by virtue of its layout and is in poor physical condition requiring ongoing and significant investment.

Two parliamentary committees recently published studies highlighting the need to explore alternatives to detention. The Public Safety and National Security (SECU) Committee issued a report in September 2012 on the use of electronic monitoring. In its study it recommended the CBSA review the use and cost-effectiveness of electronic monitoring with the aim of reducing the occurrence of inadmissible individuals who are not presenting themselves for removal. In addition, it recommended that the government research the effect of electronic monitoring on pregnant women in the

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immigration setting. In its study, *Standing on Guard for Thee: Ensuring that Canada's Immigration System is Secure*, the Citizenship and Immigration Standing (CIMM) Committee recommended the government "review the use of additional methods of alternatives to detention". Another recommendation of note includes the co-location of CBSA IHCs and Immigration and Refugee Board (IRB) offices where financially and logistically possible.

2. Costs

Provinces are increasing their per diem rates for holding immigration detainees on behalf of the CBSA at a rate significantly greater than inflation, particularly in Ontario and Quebec. On April 1, 2013, Ontario raised its per diem to \$221.58 from \$184, representing a 20.4% increase. Quebec's new per diem, to take effect upon the completion of a new detention agreement, will rise to \$239 for men and \$266.32 for women, from the current \$184, representing a nearly 30% increase for men and a 62% increase for women. Given these substantive increases, the CBSA may expect other provinces to follow suit. Most recently, B.C. indicated it will implement a \$13 per diem increase beginning April 1, 2014, representing a 6.5% increase from \$202 to \$215 per day per detainee.

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3. NGO/Stakeholder Concerns

Stakeholders (Canadian Red Cross and UNHCR) have long-expressed concerns about the commingling of immigration detainees who are currently in provincial jails with those detained for criminal reasons. While the CBSA works closely with its provincial correctional partners to ensure limited interaction where possible, provinces do not guarantee that commingling will not occur. Dedicated IHCs avoid all co-mingling.

As a result of a long-standing agreement with the CBSA, the Canadian Red Cross (CRC) visits detention centres on a regular basis to monitor the conditions of detention ensuring they comply with both domestic and international standards.

Strategies:

1. Facility Management Strategy

While the CBSA recognizes the needs to, on a broader scale: break its dependence on the provinces as a result of increasing costs; address a lack of CBSA detention space in provinces where we rely on provincial detention; avoid situations of co-mingling, and; provide better access to detainees for third-party monitoring, analysis done by a consulting firm and the cost implications for building four new facilities has lead Enforcement and Intelligence (E&I) to narrow its immediate focus on a solution for the dilapidated Laval facility. This was identified as the most feasible shorter-term goal, and will serve as a pilot project.

In May 2013, E&I and Comptrollership briefed the President on the strategy and the desire to pursue the Laval replacement option as a test location. The President agreed with the approach and asked to be presented with fully-costed Laval replacement options by Fall, 2013.

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Further policy work is required to determine how low risk detainees will be managed in provinces where no IHC exists. Discussions are also taking place to examine the policy ramifications and feasibility of CSC holding high risk individuals detained under the *IRPA*. Programs Branch and Comptrollership will come forward with a revised proposal for the management of detainees in Quebec including the future of the Laval IHC as well as a high level long term detention strategy in January 2014.

2. Population Management Strategies:

The strategies are to:

- explore the increased use of alternatives to detention on a national basis (electronic monitoring, telephone reporting and programs similar to the Toronto Bail Program); and,
- increase use of video conferencing for IRB proceedings.

Alternatives to detention:

The CBSA relies on various alternatives to detaining individuals in a detention centre as a tool to reduce the reliance on detention facilities. Within the first 48 hours of detention, the CBSA, and thereafter the IRB, can impose conditions on an individual and release them from detention. In many cases, this will involve a performance bond and/or a cash deposit from a bondsperson and the imposition of other conditions, such as regular reporting to the CBSA.

The CBSA has also used other initiatives like the Toronto Bail Program as a detention alternative that provides for intensive community supervision of detainees by a non-profit partner. The CBSA will look at expanding this program or using this model with other partners in other communities across Canada.

Other initiatives like telephone reporting and electronic monitoring have been used with some success

Electronic monitoring

The CBSA is currently researching the expanded use of electronic monitoring for immigration detainees. Historically, electronic monitoring was used for several individuals who are subject to long-term security certificates. In these cases, the Federal Court imposed electronic monitoring as a condition of release to mitigate risk and ensure respect of other court-imposed terms and conditions. The Immigration and Refugee Board (IRB) has in the past also ordered electronic monitoring in a few cases as a condition of release.

The CBSA will examine the potential of expanding the use of electronic monitoring and study its use and application in the international context. In particular, lessons will be drawn from the experiences of the United States and United Kingdom, the only two countries which have implemented broader electronic monitoring immigration programs. Discussions with international and national stakeholders and practitioners in the field (including other government departments), will further guide the CBSA's review of electronic monitoring for immigration purposes. During the course of this examination, the CBSA will

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review existing research regarding the feasibility and risks of using electronic monitoring with various detainee groups including pregnant women.

Should the CBSA's study find that electronic monitoring in the immigration context could benefit public safety and program integrity, the CBSA will consider a pilot project to explore the expanded use of electronic monitoring. The results of a pilot would help inform a potential program.

Video conferencing:

In efforts to reduce transportation costs in future, to increase security by reducing risks associated with transportation and to address detainee well-being, the CBSA is exploring with the IRB the possibility of conducting more hearings via video conferencing or co-locating operations where feasible. This involves sensitive negotiations between the CBSA and the independent IRB, and may require Deputy Minister or Minister intervention.

Business Outcomes – the expected results or benefits to achieve at the end of the change, including both financial and non-financial benefits;

The implementation of the detention strategy is expected to further strengthen the Detention Program by establishing greater national consistency; better compliance with international detention guidelines further strengthening stakeholder relations; and, potentially gaining efficiencies in the delivery of the program.

End State Program – how the new program will look;

The CBSA's Detention Program will potentially have more tools at its disposal, including the use of a new or updated detention facility in Laval, Quebec, and the use of new or expanded alternatives to detention such as electronic monitoring, telephone reporting and bail programs. The program would rely less on the Provinces for use of its detention facilities. In addition, the use of videoconferencing for detention reviews would contribute to reduced transportation-related costs and risks associated with transporting detainees outside the detention facilities. A new facility in Quebec, could see IRB co-located with CBSA, further reducing transportation costs.

Ultimately, the Detention Program will have greater national consistency; higher compliance with international detention guidelines, strengthened stakeholder relations; and, will gain efficiencies in the delivery of the program.

High Level Implementation Planning and Timeline – first pass.

TBD

PROTECTED B
When Completed

Assumptions and Dependencies

Describe the assumptions associated with the ability to address the key requirements and the potential impact of those assumptions if they are not addressed.

Identify dependencies related to the overall need, requirements, or solution.

Investment Requirements

Does this proposal require an upfront investment? ☒ Yes ☐ No

If, yes, the investment required is estimated to be:

☐ Low (<\$1M) ☐ Moderate (\$1-\$5M) ☒ Significant (>\$5M)

Potential Savings Summary

Refer to Annex B for details by cost centre and program activity (per Excel workbook)

(000)	2014/15	2015/16	2016/17 and ongoing
FTEs			
Salary	\$	\$	\$
O&M			
Capital			
Total Reduction	\$	\$	TBD\$

Note: Use the CBSA costing template in estimating savings; do not include EBP as part of salary.

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IV. EFFICIENCY MEASURE OPERATIONALIZATION

Risk and Mitigation

Define the risks associated with the initiative and the planned mitigation that can be taken to minimize or eliminate the potential impact. Risk consideration should include, among others, the following risks:

- financial;
- human resources,
- transformation.

Commented [SD1]: I added this one.... It was not a recommendation from Peter.

Performance Measurement

Identify key performance indicators for the initiative and how these indicators will be measured and monitored. (e.g. benefits such as efficiency \$, FTE reduction, services levels, etc.)

	Benefit	Measurement
1)	TBD	

Communications

Developing communications plans, products and outreach.

	Audience	Proposed Strategy or Product
1)	TBD	

PROTECTED B
When Completed

Sooley, Jodi

From: Bolton, Stephen
Sent: March 14, 2014 04:12 PM
To: Mackenzie, Joey; Helsdon, John; Sarazin, Danielle
Cc: McKay, Kim
Subject:

I would say so, thanks.

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Mackenzie, Joey
Sent: Friday, March 14, 2014 03:56 PM
To: Bolton, Stephen; Helsdon, John; Sarazin, Danielle
Cc: McKay, Kim
Subject:

Hello,

Cheers,

JM

Joey Mackenzie
Senior Program Advisor | Conseiller principal en programmes
Hearings and Detention | Audiences et Détentions
Transformation Division | Division de la transformation
Enforcement and Intelligence Programs Directorate | Direction des programmes d'exécution de la loi et du renseignement
Programs Branch | Direction générale des programmes
Canada Border Services Agency | Agence des services frontaliers du Canada
100 Metcalfe St. Ottawa ON K1A 0L8
joey.mackenzie@cbsa-asfc.gc.ca
Telephone | Téléphone 613-941-4365 / Facsimile | Télécopieur 613-946-5983 / Teletypewriter | Télécopieur 1-866-335-3237
Government of Canada | Gouvernement du Canada

Sooley, Jodi

From: Bolton, Stephen
Sent: March 7, 2014 02:05 PM
To: Rocheleau, Lisa
Cc: Helsdon, John; Mackenzie, Joey; Sarazin, Danielle
Subject: Re: IHC report

Last I have of the report

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Rocheleau, Lisa
Sent: Tuesday, March 04, 2014 03:35 PM
To: Bolton, Stephen
Cc: Helsdon, John; Mackenzie, Joey; Sarazin, Danielle
Subject: IHC report

Final version as requested.

Thanks, Lisa

Sooley, Jodi

From: Bolton, Stephen
Sent: February 26, 2014 06:35 PM
To: Sarazin, Danielle; Helsdon, John
Cc: Mackenzie, Joey; McKay, Kim
Subject: Re: Updated After Incident Report and accompanying materials

Noted with thanks

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Sarazin, Danielle
Sent: Wednesday, February 26, 2014 06:11 PM
To: Bolton, Stephen; Helsdon, John
Cc: Mackenzie, Joey; McKay, Kim
Subject: Updated After Incident Report and accompanying materials

Hi Stephen,

The updated After Incident report (named: "After Incident Report Feb 26.docx") is now available on the G drive here:

We have also saved:

Cover Memo PO Memo V1.docx

Items for Annex 1:

Due Diligence Report A 1_ Draft report.PDF
Response to Due DD Report A 1_Draft Due Diligence Response Report - Feb 21 2014 (2).doc

Item for Annex 2:

A 2_CBSA National Detention Standards English.doc

Items for Annex 3:

A 3_Message - Medical Form.docx
A 3_Directive - Medical Form.doc
A 3_BSF 674.PDF

You should note that the "Draft" watermark is still on the After Incident Report given that you may want to have Pierre review the input based on their report. I've also left a note for you/Pierre that should be ultimately removed.

We should check in with Pacific Region to make sure we are including the latest versions of the items outlined in Annex 1 (Note that I seem to recall them saying on Monday's call that there were minor changes to the DD Report and they were to remove reference to "Draft" on both the DD and Response to DD reports.

We hope this meets the need.

Cheers!

Danielle and Joey

Sooley, Jodi

From: Smith, Paul J
Sent: February 19, 2014 10:01 AM
To: McKay, Kim; Prokopec, Marianne
Cc: Sarazin, Danielle; Mackenzie, Joey; Helsdon, John
Subject: RE: NCMS or FOSS check please

I looked it up. I believe that the name Both FOSS and NCMS
have as the family name. That being said, the only way to be 100% positive is to see the individuals
passport.

From: McKay, Kim
Sent: February 19, 2014 8:51 AM
To: Smith, Paul J; Prokopec, Marianne
Cc: Sarazin, Danielle; Mackenzie, Joey; Helsdon, John
Subject: NCMS or FOSS check please

Good Morning again my dear colleagues:

As I'm currently having difficulty accessing NCMS and have no access to FOSS, can one of you please

Thanks.

Kim

From: Mackenzie, Joey
Sent: February 18, 2014 4:53 PM
To: Sarazin, Danielle
Cc: McKay, Kim; Helsdon, John
Subject: FW: As discussed... this is what's been done to date

Hi Danielle,

Here's the update:

We received two comments back today from Stephen on the email below. I have addressed the second one in the report which is saved on the G and attached here. I have also gone through once using track changes, but it still needs more massaging. I am leaving the handwritten comments at your desk. They are:

- 1.
2. Under observation # 1, are the CBSA expectations referring to the National Detention Standards?

At today's call, Lesley committed to having a draft of the report to Pierre on Thursday, in advance of Friday's call, which means it needs to be finished by tomorrow COB.

I have also saved my draft teleconference notes on the G drive (which I still need to massage).

Cheers,

JM

From: Bolton, Stephen
Sent: February 16, 2014 8:30 PM
To: Sarazin, Danielle
Cc: Mackenzie, Joey; Helsdon, John
Subject: Re: As discussed... this is what's been done to date

It's certainly on track. A couple of minor things, I can indicate those on Tuesday,
Many thanks
SB

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Sarazin, Danielle
Sent: Friday, February 14, 2014 05:06 PM
To: Bolton, Stephen
Cc: Mackenzie, Joey
Subject: As discussed... this is what's been done to date

Sorry that I didn't get further than this... Joey will pick up on Tuesday and we'll work together going forward after that... Let us know if this is on track. THANKS!

AFTER INCIDENT REPORT **SUICIDE AT THE B.C. IMMIGRATION HOLDING CENTRE**

Background:

The BCIHC is a small CBSA-leased facility located inside the Vancouver International Airport. The IHC can accommodate up to 24 low-risk detainees for a maximum period of 72 hours.

Upon notification to senior management of the December 20, 2013 incident at the BCIHC, a formal process was undertaken to provide information to external stakeholders that included the Canadian Red Cross, the Mexican Consulate, the RCMP and British Columbia Corrections.

The RCMP immediately commenced the criminal investigation and concluded on January 28, 2014 that no criminal offence had occurred (criminal negligence). Concurrently, the B.C. Coroner's Service served the CBSA with an order to seize pursuant to the B.C. Coroners Act on January 3, 2014.

Following the incident, Pacific Region immediately initiated an internal review of its operations which included the establishment of a Post-Incident Working Group. The working group was established to assist in identifying procedural and infrastructure improvements to strengthen the detention program at the BCIHC.

In addition, a national DG-led After-Incident Working Group was established to review incident response, identify operational, policy, procedural, infrastructure and training gaps and to recommend and implement changes where required.

KEY OBSERVATIONS AND RECOMMENDATIONS:

Overall:

Observation:

Security Contract:

Security services at the BCIHC are provided by Genesis Security, a third-party service provider. Security staff employed by Genesis is responsible for 24/7 monitoring of the detainees held in the CBSA BCIHC. The CBSA is ultimately responsible for the care and control of detainees: As such, the Region establishes facility-specific standard operating procedures (SOPs) that are aligned with the National Detention Standards (attached) and ensures compliance with those standards in day-to-day operations.

Observation #1:

Current contract with Genesis Security does not clearly outline CBSA expectations regarding guard to detainee ratios and furthermore male and female guard ratios both on duty onsite at the IHC and on transportation duty of detainees. The current contract needs to clearly outline expectations in this respect.

Recommendation #1:

Security and Professional Standards and Pacific Region will review the existing contract in its entirety and make appropriate changes to the contract to ensure precision on CBSA requirements and expectations consistent with the National Detention Standards and SOPs. The current contract with Genesis expires on March 31, 2014.

Observation #2:

Prior to the incident, the CBSA visited the BCIHC on a monthly basis to ensure management oversight of operations delivered by Genesis Security. While CBSA officers interact almost daily with Genesis Security staff at the Pacific Regional Enforcement Centre (PREC) when detainees are transported there for interviews and hearings, regular and more frequent visits to the BCIHC would allow for onsite monitoring of detention conditions and operations and identify issues that may require corrective action.

Recommendation #2:

The Region has already implemented weekly visits to BCIHC by the Detention Liaison Officer. It is further recommended that the DLO responsibilities in respect to these visits be documented in an updated work description and/or SOP.

Infrastructure:

THE CONTENT FOR THIS WILL BE DRAWN FROM THE AFTER INCIDENT REPORT PLUS SECURITY NEEDS TO PROVIDE MUCH INPUT HERE...

Policies, Procedures and Training:

Need to establish national policies in the following areas:... medical and psychiatric services; sharing of detainee information (including medical information) – gap between POE risk assessments of detainees going directly to a provincial facility as well as a gap in information from a provincial facility on a detainee being transferred to the IHC (I think..)

SOPs regarding:... Recording/input, review and management of daily logs. Offer of consultation of a doctor/psychiatrist to detainees, particularly those on the verge of removal (perhaps care would be covered under IFH).

Danielle Sarazin

Senior Program Advisor | Conseillère principale en programmes

Hearings and Detentions | Audiences et Détentions

Transformation Division | Division de la transformation

Enforcement & Intelligence Programs | Programmes d'exécution de la loi et du renseignement

Programs Branch | Direction générale des programmes

Canada Border Services Agency | Agence des services frontaliers du Canada

100 Metcalfe St. Ottawa ON K1A 0L8

danielle.sarazin@cbsa-asfc.gc.ca

Telephone | Téléphone 613-948-1833 / Facsimile | Télécopieur 613-946-5983

Sooley, Jodi

From: Gray, Yvette-Monique
Sent: February 18, 2014 04:22 PM
To: Soper, Lesley L; Bolton, Stephen; Mackenzie, Joey
Cc: Lane, Christian; Clarke, DougC
Subject: Fw: POE Detention

Hello,

Further to our update conversation on Detentions on Friday and today, I'm attaching the email below as an example of a POE Detention email.

In the tombstone data at the beginning, it shows the types of questions that go into the risk assessment for suitability of the individual for the IHC.

Yvette

Sent from my BlackBerry handheld.
Envoyé à partir de mon BlackBerry.

From: Marson, Daniel
Sent: Friday, February 14, 2014 03:27 AM
To: PAC-Dist_EID_IES_Detained_Notification; PAC-Dist_VIA-Traffic_Uniformed_Staff
Subject: POE Detention

Sent on behalf of BSO N. Runghen

IRPA Arrest/Detention Notification – Port of Entry

FOSS Id
Family Name, Given Name(s)
Alias
Cautions/Medical Concerns
Gender
Date of Birth
Country of Birth
Country of Citizenship
CLPR
Criminality
Refugee Claimant
Airline Liability
Arrived on Flight
Interpreter Language(s)

Hold Type	IRPA Hold
Date of Detention	14-Feb-2014
Time of Detention	0112
Detention Centre	Vancouver City Jail
IHC Suitable* (Lower Mainland Only)	NO
Explain NOT Suitable IHC	
Vulnerable Person	No
Mental Health Issues	No
Minor	No
Accompanying Minor(s)	No

Accompanying Minor Detail	N/A
MCFD Notified**	N/A
Detained For	Examination
Grounds	Will Not Appear
Allegation(s)	A36(1)(b), A36(2)(b)
IRPA Charges?	No
Departure Arranged	No
Outbound Flight	TBD
Examining Officer	RUNGHEN 10505

Brief Narrative:

Follow-Up and Recommendations:

*IHC: Immigration Holding Centre, a low-risk, 72-hour CBSA-run detention facility at the Vancouver International Airport. Please contact Genesis Security at the IHC to transfer detainees.

**MCFD: Ministry of Children and Family Development. The CBSA is required to advise the Ministry of all instances of detained minors or accompanying minors of detained adults to ensure that the best interests of the child are considered in determining placement of the minor.

V. 1.2

Sooley, Jodi

From: Gray, Yvette-Monique
Sent: February 18, 2014 02:08 PM
To: Giguere, Pierre; Soper, Lesley L
Cc: Bolton, Stephen; Clarke, DougC; Sarazin, Danielle; Mackenzie, Joey; Lane, Christian
Subject: BCIHC Conference Call this afternoon Proposed Agenda Items

Hello Lesley and Pierre,
Please advise if there is an agenda for this afternoon's meeting.

I would like to propose the following items.

- Review of the draft Due Diligence Report – Questions, Comments
- Response to the Due Diligence Report – Status Update on Items Identified
- Follow-up questions for Pierre on BCIHC Briefing Package
- Next Steps on DG Internal review

Note

- Detentions Manager Christian Lane is off site today but will try to call in. However, Doug and I will be on the call.
- A/AD Laura Clarke can be taken off the meeting requests as she is no longer acting for me and has returned to her regular work as the AD of Intelligence Section.

Thanks,
Yvette-Monique Gray
Director
Enforcement and Intelligence Division
CBSA Pacific
(604) 666-2308

Sooley, Jodi

From: Bolton, Stephen
Sent: February 27, 2014 11:36 AM
To: Helsdon, John; McKay, Kim; Smith, Paul J; Mackenzie, Joey; Sarazin, Danielle
Cc: Prokopec, Marianne
Subject: RE: ATIP re: BC incident

You can use my email

Stephen Bolton
Director/Directeur
Transformation Division / Division de la transformation
Enforcement & Intelligence Programs Directorate / Direction des programmes d'exécution de la loi et du renseignement
Programs Branch / Direction générale des programmes
Canada Border Services Agency / Agence des services frontaliers du Canada
100 Metcalfe Street 11th floor / 11ième étage
Tel / Tél: (613) 954-7251
Email: stephen.bolton@cbsa-asfc.gc.ca

From: Helsdon, John
Sent: February 27, 2014 10:33 AM
To: Bolton, Stephen; McKay, Kim; Smith, Paul J; Mackenzie, Joey; Sarazin, Danielle
Cc: Prokopec, Marianne
Subject: ATIP re: BC incident

I spoke with Nancy Jane Lucas at ATIP who spoke to the analyst dealing with these requests. ATIP is aware of the ongoing investigating and will not release anything beyond what is out there in the media release.

With respect to e-mail we need only provide the last e-mail in the thread and any e-mail that went sideways and contains something not in the thread. As most of us are on all of the e-mails we should pick one mailbox to draw from unless any of you have sent independent e-mail. My guess is that Stephen likely has the most complete record of e-mail traffic on this issue.

Stephen, do you agree with using your e-mail as the one we pull from? Does Kasongo or Melissa have access to your e-mail?

As most of these requests overlap it makes sense that we compare the requests and where there is material common to several requests we pull it once and photocopy it.

Short term plan, let's meet this afternoon at 3 and look at all of the requests related to suicides/deaths in custody, see where there is overlap, develop a plan of action and get extensions where necessary due to the volume of requests and material.

Joey/Danielle you are obviously exempt from the meeting.

John Helsdon
Manager, Hearings and Detentions Unit / Gestionnaire, Unité des audiences et des détentions
Transformation Division / Division de la transformation
Enforcement and Intelligence Programs Directorate /
Direction des programmes d'exécution de la loi et du renseignement

Canada Border Services Agency | 100 Metcalfe - Ottawa ON K1A 0L8
Agence des services frontaliers du Canada | 100 Metcalfe - Ottawa ON K1A 0L8
Government of Canada | Gouvernement du Canada
Tel: (613) **960-3579** - **NOTE NEW NUMBER**
John.Helsdon@cbsa-asfc.gc.ca

Sooley, Jodi

From: Prokopec, Marianne
Sent: March 4, 2014 02:58 PM
To: Sarazin, Danielle; Mackenzie, Joey; McKay, Kim
Subject: RE: detention stats

I think this will do nicely! Thanks Danielle.

Marianne
613-960-5171

From: Sarazin, Danielle
Sent: March 4, 2014 2:55 PM
To: Prokopec, Marianne; Mackenzie, Joey; McKay, Kim
Subject: RE: detention stats

Hi Marianne,

I had asked for some stats in early January that may be useful. They capture the number of detainees by region, facility type, grounds and gender for the first day of every month in 2013. See attached.

DS
948-1833

From: Prokopec, Marianne
Sent: March 4, 2014 1:23 PM
To: Mackenzie, Joey; McKay, Kim; Sarazin, Danielle
Subject: RE: detention stats

Thanks very much to you both for the pointers, and I'll certainly forward whatever I receive.

Marianne
613-960-5171

From: Mackenzie, Joey
Sent: March 4, 2014 1:20 PM
To: McKay, Kim; Prokopec, Marianne; Sarazin, Danielle
Subject: RE: detention stats

Agreed.

In making your request, suggest you ask for a full years data, and/or the first day of each month for a comparative analysis.

Also, can you share these stats with us, am very interested in this also.

Thanks!

JM

From: McKay, Kim
Sent: March 4, 2014 1:06 PM
To: Prokopec, Marianne; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

I would recommend going to PRU to obtain these stats.

From: Prokopec, Marianne
Sent: March 4, 2014 1:03 PM
To: McKay, Kim; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

Yes.

Marianne
613-960-5171

From: McKay, Kim
Sent: March 4, 2014 1:02 PM
To: Prokopec, Marianne; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

Is the question ... number of individuals detained for identity purposes in provincial facilities?

From: Prokopec, Marianne
Sent: March 4, 2014 12:39 PM
To: McKay, Kim; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

Thanks. Lesley wanted us to find out and suggested we ask the IRB (my notes don't say why). I figured I should check with us first before asking another department.

Marianne
613-960-5171

From: McKay, Kim
Sent: March 4, 2014 12:23 PM
To: Prokopec, Marianne; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

Nil for me.

From: Prokopec, Marianne
Sent: March 4, 2014 11:39 AM
To: McKay, Kim; Sarazin, Danielle; Mackenzie, Joey
Subject: detention stats

Hi,

Do we have any stats on how many people are detained for ID in provincial facilities?

Thank you,
Marianne

Sooley, Jodi

From: Prokopec, Marianne
Sent: March 4, 2014 01:03 PM
To: McKay, Kim; Sarazin, Danielle; Mackenzie, Joey
Subject: RE: detention stats

Yes.

Marianne
613-960-5171

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